

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.#: Comprehensive Plan Conformance #02003 **Date:** May 14, 2002
Sanitary and Improvement District (SID) #2 (Pine Lake)

PROPOSAL: Finding that the declaration of surplus property for Outlots G, H, I, J, K, L, M and N, Pine Lake 5th Addition and Outlot AAA, Pine Lake 8th Addition is in conformance with the Comprehensive Plan.

LAND AREA: Approximately 33.55 acres.

CONCLUSION: Declaring the outlots used for open space, a golf course and recreational trails is in conformance with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Find that this request is in conformance with the Comprehensive Plan, provided the City retains easements for public utilities and land for streets.
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Outlots G, H, I, J, K, L, M and N, Pine Lake 5th Addition and Outlot AAA, Pine Lake 8th Addition, Lancaster County, Nebraska.

LOCATION: Northwest of the intersection of South 84th Street and Pine Lake Road.

APPLICANT: Kent Morgan, Interim Planning Director
Lincoln/Lancaster County Planning Department
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Lincoln, NE 68508
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CONTACT: Brian Will
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EXISTING ZONING: AGR Agricultural Residential

EXISTING LAND USE: Open Space, Golf Course, Recreational Trails

SURROUNDING LAND USE AND ZONING:

North:	Vacant (single-family residential proposed)	R-3
South:	Single-family Residential	AGR
East:	Single-family Residential	AGR
West:	Single-family Residential	AGR

ASSOCIATED APPLICATIONS: ANN#02003 - A request to annex Sanitary and Improvement District #2 (Pine Lake).

HISTORY: City Council approved the interlocal agreement with the Pine Lake SID **May 13, 2002**.

SP#277H - An amendment to the Pine Lake CUP was approved **June 14, 2001** to allow a reduced front yard setback for Lot 20, Pine Lake Addition.

SP#277G - An amendment to the Pine Lake CUP was approved on **November 17, 1999** to allow cellular telephone antennas on the Pine Lake water tower.

SP#277F - An amendment to the Pine Lake CUP was approved on **November 1, 1999** to allow a reduction in the side yard setback from 15 feet to 10 feet on Lots 76 - 85, Pine Lake 4th Addition.

SP#277E - An amendment to the Pine Lake CUP was approved on **November 23, 1998** to allow reduction in the front yard setback from 40' to 35' and to the side yard setback from 10' to 5' on Lot 3, Block 3, Pine Lake 5th Addition.

SP#277D - An amendment to the Pine Lake CUP was approved on **April 6, 1987**, allowing a revised layout for those lots along Barkley Drive, South 83rd Street and Horseshoe Drive.

SP#277C - This amendment was withdrawn on **February 3, 1986**.

SP#277B - An amendment to the Pine Lake CUP was approved **June 24, 1985** allowing a reduction in the front yard setback from 50' to 40' and the side yard setback from 15' to 10' on Blocks 3, 4, and 5, Pine Lake 5th Addition.

Revised Preliminary Plat of Pine Lake and Pine Lake 8th Addition - The revised preliminary plat and the 8th Addition final plat were approved **May 22, 1985** and **July 15, 1987**, respectively.

Pine Lake 6th Addition - The final plat was approved **October 24, 1977**.

SP#277A - An amendment to the Pine Lake CUP was approved on **February 9, 1976**, allowing a reduction in the side yard setback from 15' to a 5' on those lots less than 90' in width measured at the 30' front yard line and to 10' on those lots 90' or more in width on Blocks 1 through 5, Pine Lake 5th Addition.

Pine Lake 5th Addition - The final plat of Pine Lake 5th Addition was approved **July 25, 1973**, and included Outlot G for the golf course.

Revised Preliminary Plat Pine Lake and Pine Lake 4th Addition - The revised preliminary plat of Pine Lake and Pine Lake 4th Addition were approved **February 24, 1971**, and expanded the area included in the plat east to South 84th Street including a conceptual plan for a golf course.

Pine Lake 3rd Addition - The final plat of Pine Lake 3rd addition was approved **December 23, 1970**.

Pine Lake 2nd Addition - The final Plat of Pine Lake 2nd Addition was approved **March 8, 1964**.

SP#277 - A special permit revising the Pine Lake C.U.P. was approved **September 8, 1964**.

Pine Lake Addition - The final plat of Pine Lake Addition (the western portion of the Pine Lake SID surrounding the lake) was approved **June 28, 1961**.

SP#209 - The original C.U.P. for Pine Lake was approved **June 28, 1961**.

Pine Lake - The preliminary plat of Pine Lake was approved **June 28, 1961**.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan designates the Pine Lake SID as Low Density Residential, with the golf course and trails designated as Parks and Open Space.

UTILITIES: This area is inside the future urban service area shown in the Comprehensive Plan. The SID is served by a community wastewater treatment system that is operated and maintained by the SID. Water is provided to the SID by three private wells located within the development. At this time, one of the wells has failed and is not in service.

ANALYSIS:

1. This request accompanies the application to annex the Pine Lake SID. The purpose of this request is to determine whether declaring the outlots as surplus property is in conformance with the Comprehensive Plan.
2. As noted in the ANN#02003 staff report, the City has initiated annexation of the Pine Lake SID. To accommodate providing the SID with water in advance of annexation, but with the understanding that annexation is imminent, an interlocal agreement between the Pine Lake SID and the City was approved by the City Council on May 13, 2002. Provision #10 of that agreement states that "the City will commence the process to declare all of the outlots currently owned by the SID to be surplus property as the City has no present use for and desires to avoid any liability related to the outlots and the structures and facilities located thereon including, in particular, but not limited to, the Pine Lake water tower and the water wells."
3. After annexation, the SID ceases to exist and the City acquires all assets and liabilities, including the subject outlots.
4. The Parks and Recreation Department does not want to be responsible for the golf course. The remaining City Departments have been advised of this declaration of surplus property and do not object.
5. An annexation agreement is being drafted to accompany ANN#02003 for City Council consideration. The purpose will be to stipulate the conditions under which the annexation will occur. Among others, these conditions could include provisions for easements for utilities, or rights-of-way for streets.
6. The outlots requested to be declared surplus are designated as parks and open space in the Land Use Plan of the Comprehensive Plan. Declaring them surplus and deeding them back to the Homeowners Association after annexation of the Pine Lake SID will allow the outlots to remain as a golf course and trails, uses that are consistent with parks and open space designation of the Comprehensive Plan.
7. The conditions of the community unit plan provide that the outlots will remain as open space.

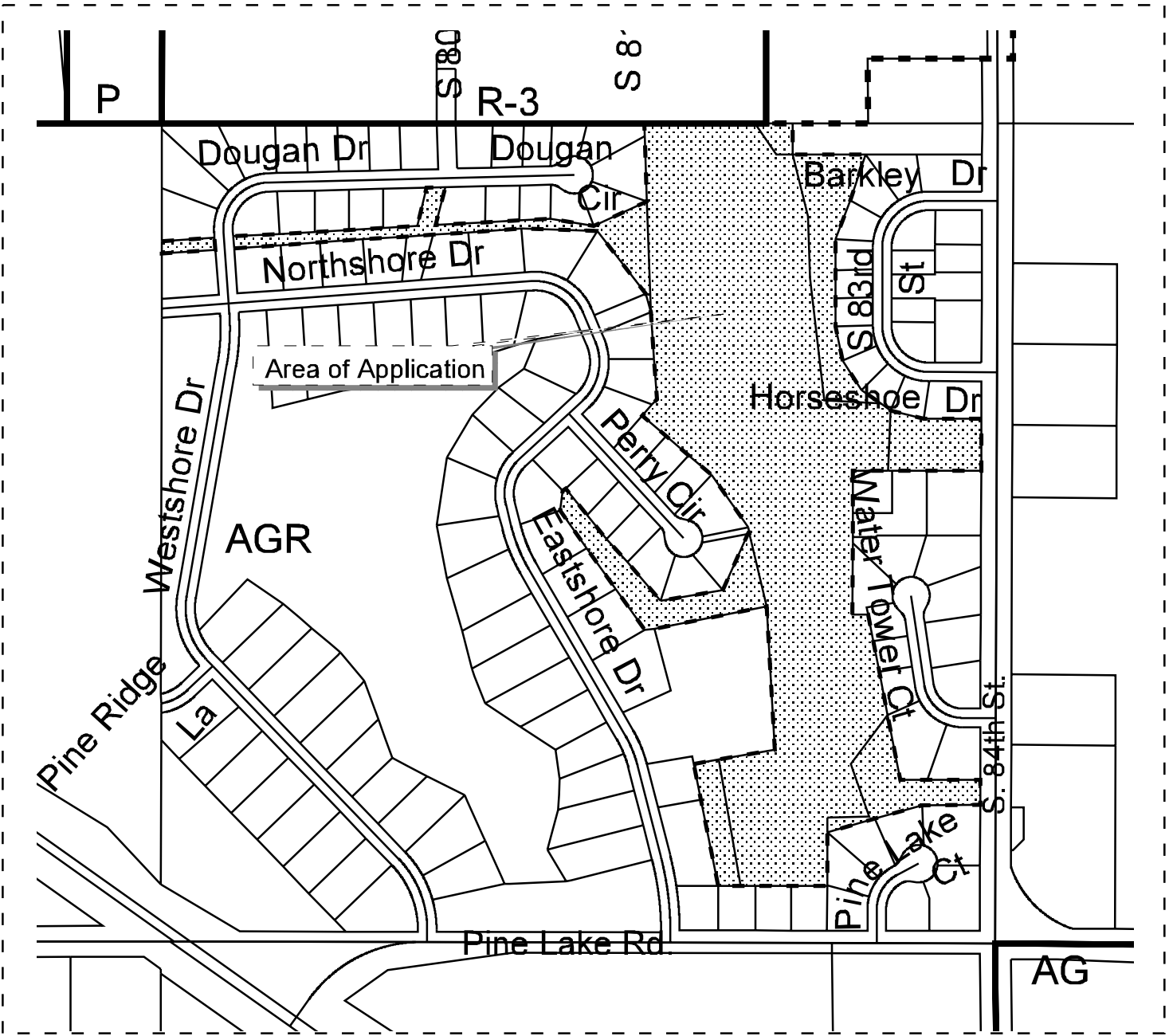
Prepared by:

Brian Will, AICP
Planner



Comp. Plan Conformance #02003
S. 84th & Pine Lake Rd.



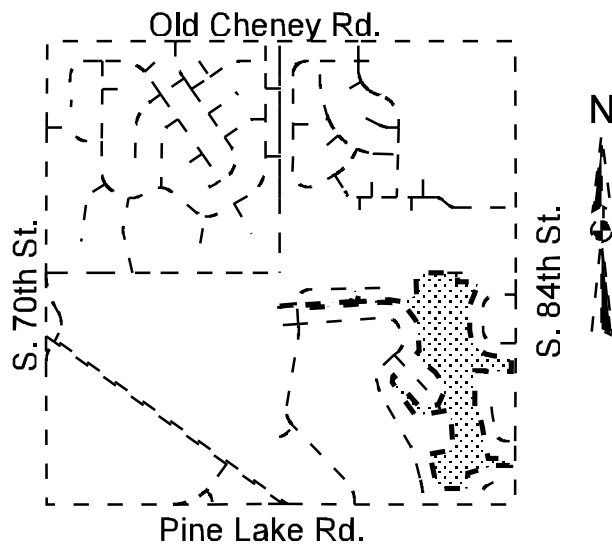
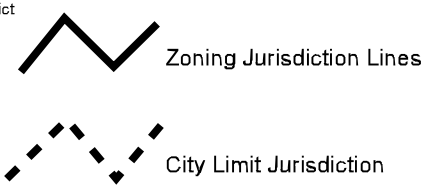


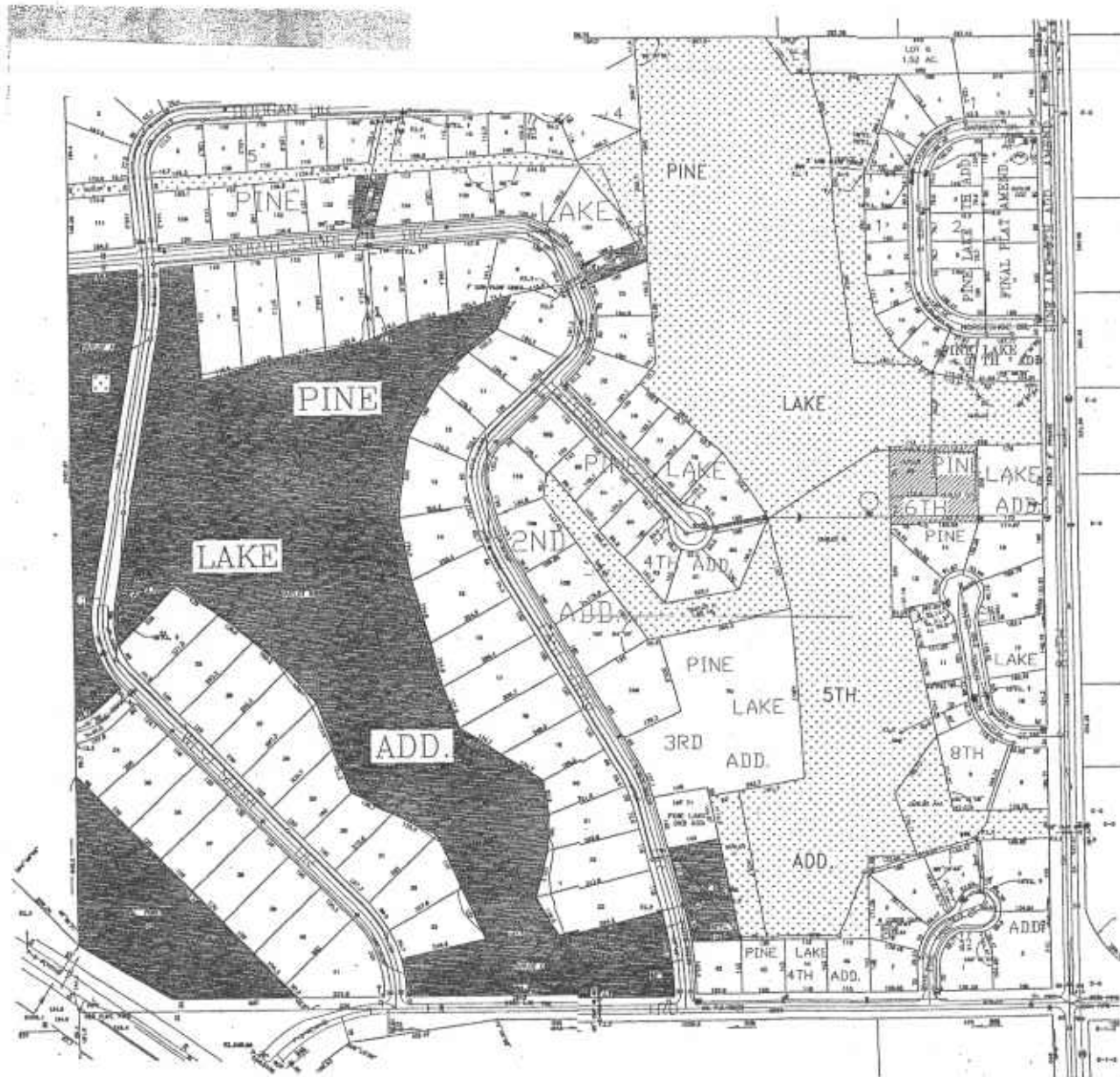
Comp. Plan Conformance #02003
S. 84th & Pine Lake Rd.

Zoning:

- | | |
|------------|--|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

One Square Mile
 Sec. 15 T9N R7E





(1) PINE LAKE ASSOCIATION
 (2) S.D. No. 2
 (3) PINE LAKE GOLF AND TOURS



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 402-474-5311

OUTLOT
 MAP

LANCASTER CO.
 SANITARY &
 IMPROVEMENT
 DISTRICT NO. 2

LINCOLN
 NEBRASKA
 1998

drawn by: MDP
 checked by: EPH
 approved by: JDS
 project no.: 482166
 drawing no.: 13171-1
 date: 8/14/98
 revision:

SHEET
 1 OF 1